

BEFORE THE BOARD OF REALTY REGULATION
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the petition)	NOTICE OF WITHDRAWAL
for declaratory ruling on the)	OF AMENDED NOTICE
issue of whether a real)	OF PETITION FOR
estate broker or)	DECLARATORY RULING
salesperson, who is engaged)	
in property management,)	NOTICE OF CANCELLATION
shall provide relationship)	OF HEARING
disclosures as are provided by)	
§37-51-314, MCA, or as are provided))	
by ARM 8.58.714(3)(n))	

TO: All Concerned Persons

1. At the request of Petitioners and with the concurrence of the Board of Realty Regulation, Notice is hereby given that the Amended Notice of Petition for Declaratory Ruling in this matter is withdrawn. The Amended Petition pertained to the following question:

"Shall a real estate broker or salesperson, who is engaged in property management, provide the relationship disclosures as are provided by MCA §37-51-314 or the disclosures as are provided by ARM §8.58.714(3)(n)?"

2. The original Notice of Petition for Declaratory Ruling was submitted at the request of Merilynn J. Foss, Chair of the Property Managers Working Group of the Montana Association of REALTORS®, and the Montana Association of REALTORS®, Inc. (MAR) (Collectively the Petitioners).

3. The original Notice of Petition for Declaratory Ruling was published in the Montana Administrative Register in the Interpretation Section on November 13, 2003 at page 2557, issue no. 21. Hearing on the original notice was set for December 12, 2003. The Department extended the time for comment and set another date for hearing on this matter. The Amended Notice of Petition for Declaratory Ruling was published in the Montana Administrative Register in the Interpretation Section on February 12, 2004 at page 342, issue no. 3. Hearing on the Amended Notice of Petition for Declaratory Ruling was set for March 4, 2004, at 9:00 a.m., in room 471, Park Avenue Building, 301 South Park Avenue, Helena, Montana.

4. Prior to the March 4, 2004 hearing, Petitioners made their request to withdraw the Petition. The Board, having no objection, agreed to the withdrawal. However, the request arrived too late for publication prior to the hearing. Consequently, the Board notified the interested parties via mail that the Petition would be withdrawn. A representative

from the board appeared at the time and place for the hearing in order to notify any persons who appeared that the hearing was canceled. No persons appeared at the time and place for hearing.

5. The March 4, 2004 hearing on this matter was and is hereby canceled. Comments are no longer accepted and comments already submitted will not be considered. No further Order of the Board of Realty Regulation will be forthcoming.

BOARD OF REALTY REGULATION
LAURA ODEGAARD, CHAIRPERSON

/s/ WENDY J. KEATING
Wendy J. Keating, Commissioner
DEPARTMENT OF LABOR & INDUSTRY

Certified to the Secretary of State March 15, 2004.